

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter comes before the Court on the motion of Atticus, LLC to seal Syngenta Crop Protection, LLC's Opposition to Atticus, LLC's Motion for Leave to File Reply in Support of Its First Motion to Compel [DE #121] and Exhibits 7 and 8 thereto [DE ##121-4 and 121-5].

WHEREAS, Syngenta's Opposition and Exhibits contain non-public commercial information belonging to Atticus concerning the identities of entities that manufacture products for Atticus and entities supplying azoxystrobin technical used to manufacture Atticus's products, as well as confidential commercial information about the terms of Atticus's relationships with such suppliers; and

WHEREAS, it appears to the Court that Atticus claims, in good faith, that disclosure of the confidential information contained in the Syngenta Opposition and Exhibits 7 and 8 could cause harm to its competitive position; and

WHEREAS, it appears to the Court that Syngenta wishes the information set forth in its Opposition and Exhibits 7 and 8 be considered by the Court; and

WHEREAS, the public's right to access to such to information is outweighed by the interests which Atticus claims in protecting against its public disclosure; and

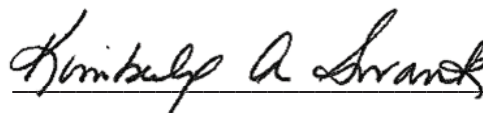
WHEREAS, the Court has provided notice to the public of Atticus's motion to seal; and

WHEREAS, Atticus has submitted to the Court proposed redacted versions of Syngenta's Opposition [DE #124-1] and Exhibits 7 [DE #124-2] and 8 [DE #124-3], which are publicly available on the court's docket. Redaction of these documents is a less restrictive means of preserving the confidentiality of the information in question without sealing the documents in their entirety;

NOW, THEREFORE, upon consideration of the Motion to Seal Syngenta Crop Protection, LLC's Opposition to Atticus, LLC's Motion for Leave to File Reply in Support of Its First Motion to Compel and Exhibits 7 and 8 thereto, the memorandum in support thereof, and the entire record herein, it is hereby

ORDERED that Atticus, LLC's Motion to Seal [DE #124] is GRANTED. Syngenta Crop Protection, LLC's Opposition to Atticus, LLC's Motion for Leave to File Reply in Support of Its First Motion to Compel [DE #121] and Exhibits 7 and 8 thereto [DE ##121-4 and 121-5] shall be SEALED.

This 26th day of June 2021.

A handwritten signature in black ink, reading "Kimberly A. Swank", written over a horizontal line.

KIMBERLY A. SWANK

United States Magistrate Judge